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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,802	10/17/2000	Petteri Putkiranta	4925-88PUS	1591
7590 10/20/2005			EXAMINER	
Michael C Stuart Cohen Pontani Lieberman & Pavane Suite 1210 551 Fifth Avenue New York, NY 10176			SMITH, SHEILA B	
			ART UNIT	PAPER NUMBER
			2681	
DATE MAILED: 10/20/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/646,802	<b>Applicant(s)</b> PUTKIRANTA, PETTERI	
	<b>Examiner</b> Sheila B. Smith	<b>Art Unit</b> 2681	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burhrmann et al. (U.S. Patent Number 5,950,125) in view of Moelard et al. (U. S. Patent Number 5,371,738).

*Regarding claims 1-4*, Burhrmann discloses a communications system (100, 300) comprising base stations (101) for providing mobile stations (115) with communications links and at least one localized service area (105)(which reads on column 2 lines 2-5); comprising a service server which is arranged to maintain information concerning the location of mobile stations in localized service areas (which reads on column 7 lines 4-16) and to generate requests for changing the service selection offered to mobile stations (which reads on column 13 lines 4-8), and means (108, 109) for changing the service selection offered to a mobile station on the initiative of the communications system in response to an indication of the arrival of the mobile station in said localized service area (which reads on column 7 lines 40-54 and disclosed in block 443 of figure 4B). However, Burhrmann fails to specifically disclose a mobile station generated messages describing the location of the mobile stations in relation to localized service areas.

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In the same field of endeavor Moelard et al. discloses a wireless local area network system with mobile station handover. Additionally Moelard et al. discloses a mobile station generated messages describing the location of the mobile stations in relation to localized service areas as disclosed in column 2 lines 51-60.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve Burhrmann by modifying a location-dependent cellular service profile with a mobile station generated messages describing the location of the mobile stations in relation to localized service areas as taught by Moelard et al. for the purpose of utilizing a transparent bridge to updated the system.

*Regarding claims 5,6*, Buhrmann et al. disclose a cellular mobile station comprising a control block, adapted so as to store the information required for recognizing a localized service area, whereby the mobile station is adapted so as to send a notification of its arrival in the localized service area in response to the recognition of the localized service area, said notification being intended as an impulse for changing the service selection offered to the mobile station (which reads on column 2 lines 60-65). However Buhrmann fails to specifically disclose a cellular mobile station having a memory means.

In the same field of endeavor Moelard et al. discloses a wireless local area network system with mobile station handover. Additionally Moelard et al. discloses a cellular mobile station having memory means as disclosed in column 4 lines 11-20.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve Burhrmann by modifying a location-

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dependent cellular service profile with cellular mobile station having memory means as taught by Moelard et al. for the purpose of storing and utilizing a transparent bridge to updated the system.

*Regarding claims 7-12*, Buhrmann et al. discloses a method for changing the service selection offered to a mobile station in a communications system that comprises base stations for providing mobile stations with communications links, comprises steps in which from, the mobile station there is received a message indicating that the mobile station has detected that it is in the localized service area information is generated about the arrival of a mobile station in a localized service area (which reads on column 7 lines 4-16), and the service selection offered to said mobile station on the initiative of the communications system is changed (which reads on column 2 lines 60-65 and on column 7 lines 40-54 and disclosed in block 443 of figure 4B).

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Regarding applicant argument concerning claim 1, that the prior art of record fails to teach or suggest a mobile station generating a message describing the location of the mobile station in relation to a localized service area, the examiner contends that "the cellular telephone establishes a communications link with the first MTSO, the cellular telephone also identifies its home MTSO to first MTSO 107 by downloading the

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contents of the MIN field 203 (FIG. 2) to the first MTSO 107 (FIG. 1)” which reads on this limitation.

Regarding applicant argument concerning claim 5, that the prior art of record fails to teach or suggest a mobile station having a memory capable of storing information required to recognizing a service area, the examiner agrees, and that is why Moelard et al. was used to disclose this limitation.

Regarding applicant argument concerning claim 7, that the prior art of record fails to teach or suggest a mobile station detecting that it is in a localized area, the examiner contends that “it being understood that service profiles may be stored in any intelligent network node” reads on that limitation .

*Response to Amendment*


3. In view of the appeal brief filed on 4/18/05, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:


  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (571)272-7847. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith   
August 4, 2005

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER